

**Miami-Dade County Permitting, Environment and Regulatory Affairs Department
Staff Report to Community Council No. 16**

PH: Z11-119 (12-03-CZ16-1)

March 20, 2012

Item No. 1

Recommendation Summary	
Commission District	7
Applicant	University of Miami
Summary of Requests	The applicant is seeking to modify conditions of previously approved resolutions. Additionally, the applicant is seeking to permit buildings setback less than required from property lines and waive building height requirements, provide less parking than required and parking and drives within 25' of a right-of-way and lot coverage greater than permitted.
Location	4600 Rickenbacker Causeway, Miami-Dade County, Florida.
Property Size	11.08-acres
Existing Zoning	GU and BU-2
Existing Land Use	Educational
2015-2025 CDMP Land Use Designation	Institutions, Utilities and Communication (see attached Zoning Recommendation Addendum)
Comprehensive Plan Consistency	Consistent with interpretative text, goals, objectives and policies of the CDMP
Applicable Zoning Code Section(s)	Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations Section 33-311(A)(7) Generalized Modification Standards (see attached Zoning Recommendation Addendum)
Recommendation	Approval with a condition

REQUESTS:

- (1) Modification of Condition #2 of Resolution No. 4-ZAB-396-83, passed and adopted by the Zoning Appeals Board on the 9th day of November 1983, and reading as follows:

FROM: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Science Lab/Administration Bldg.", as prepared by Abramovitz, Harris, and Kingsland, Architects, Planners, dated March 1, 1983, consisting of 6 pages.

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Rosenstiel School of Marine and Atmospheric Science", as prepared by Cambridge Seven Associated, Inc., Architects and Planners, dated stamped received 1/18/12 consisting of 15 sheets.

- (2) Modification of Condition #2 of Resolution No. CZAB16-2-97, passed and adopted by the Community Zoning Appeals Board on the 24th day of November 1997, reading as follows:

From: "2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled "RSMAS Food Service Renovation R 012," as prepared by Diez – Mora Architects, Inc., consisting of 5 sheets dated 6-30-97 and a liquor survey entitled "University of Miami," as prepared by Ford, Armenteros and Manucy, Inc., dated 9-12-97."

To: "2. That in the approval of the plans, the same be substantially in accordance with that submitted for the hearing entitled "Rosenstiel School of Marine and Atmospheric Science," as prepared by Cambridge Seven Associates, Inc., Architects and Planners, dated stamped received 1/12/12, sheets LM.01, LP.01 and A0.00 dated stamped received 1/18/12 consisting of 15 sheets."

The purpose of requests #1 & #2 is to allow the applicant to submit plans showing the addition of the proposed Marine Research and Education building to the property.

- (3) NON-USE VARIANCE of setback requirements to permit the proposed Marine Research Building to setback 31'3" (75' required) from the north property line and setback 50'8" (85' required) from the front (east) property line.
- (4) NON-USE VARIANCE of zoning regulations to permit the proposed Marine Research structure with a building height of 65' (35' maximum permitted).
- (5) NON-USE VARIANCE of zoning regulations to permit the proposed Marine Research structure with four (4) stories (2 stories maximum permitted).
- (6) NON-USE VARIANCE of zoning regulations to permit parking and drives to be within 25' of the official right-of-way line of Rickenbacker Causeway (not permitted).
- (7) NON-USE VARIANCE of parking requirements to permit 285 parking spaces (1,396 spaces required; 287 previously approved, where 1,328 previously required).
- (8) NON-USE VARIANCE of setback requirements to permit the proposed electrical plant structure to setback 2'7" (7.5' required) from the rear (west) property line and setback 8'10" (20' required) from the interior side (north) property line.
- (9) NON-USE VARIANCE of spacing requirements to permit the proposed electrical plant structure to spaced 8'4" (10' required) from the electrical generator.
- (10) NON-USE VARIANCE of setback requirements to permit the proposed settling tank structure to setback 8'10" (20' required) from the interior side (south) property line.
- (11) NON-USE VARIANCE of zoning regulations to permit lot coverage of 46% (15% permitted).

The aforementioned plans are on file and may be examined in the Permitting, Environment and Regulatory Affairs Department or its successor Department. Plans may be modified at public hearing.

PROJECT DESCRIPTION:

The site plan depicts the University of Miami Rosenstiel School of Marine and Atmospheric Science with approximately 279,000 sq. ft. of research and accessory use space distributed throughout multiple buildings.

NEIGHBORHOOD CHARACTERISTICS		
	Zoning and Existing Use	Land Use Designation
Subject Property	GU & BU-2; University of Miami Rosenstiel School of Marine and Atmospheric Science	Institutions, Utilities & Communication
North	GU; Miami-Dade County Parks, Recreation & Open Spaces	Parks & Recreation
South	None; Bear Cut	Water
East	GU; NOAA	Institutions, Utilities & Communication Parks & Recreation
West	GU; Miami Seaquarium	Institutions, Utilities & Communication and Parks & Recreation

NEIGHBORHOOD COMPATIBILITY:

The subject property is an existing marine research facility located along the Rickenbacker Causeway. The surrounding area is characterized by institutional and park and recreation uses.

SUMMARY OF THE IMPACTS:

Approval of this application will allow the University of Miami to construct new buildings at its Rosenstiel School of Marine Atmospheric Science campus. The proposed buildings will provide additional space for the university to provide improved technologies needed for research. However, the request for the 65' Marine Technology and Life Sciences Seawater Complex (MTLSS) could have a negative visual impact on the surrounding properties because the tallest building currently on the subject property is 44'.

CDMP ANALYSIS:

The subject property is designated as **Institutions, Utilities and Communications** on the Comprehensive Development Master Plan (CDMP) Land Use Plan (LUP) map. The full range of institutions, communications and utilities may be allowed under this land use category. Offices are also allowed in this map category. The approval of the requests sought in this application will allow the applicant to submit revised site plans for the Rosenstiel School of Marine and Atmospheric Science (RSMAS) campus. Staff notes that the revised site plan depicts the Marine Technology and Life Sciences Seawater Complex (MTLSS); a new pump house, new settling tanks, and replacement algae tanks; construction of a new electrical plant and generator; and demolition of three (3) previously approved buildings. Additional improvements to the campus include a new parking layout; connectivity between buildings and the waterfront; outdoor plazas; drive isles and landscaping. Staff is of the opinion that because the use will not change, the existing RSMAS campus with improvements is **consistent** with the uses allowed in the Institutions, Utilities and Communications land use designation on the CDMP LUP map.

ZONING ANALYSIS:

When requests #1 and #2, to permit the modification of a conditions of previously approved resolutions, are analyzed under Section 33-311(A)(7) Generalized Modification Standards, said requests would not generate excessive noise, traffic, provoke excessive overcrowding of people, tend to provoke a nuisance and would be **compatible** with the surrounding area as evidenced by the memoranda submitted by the Departments of Public Works and Waste Management; the Environmental Division of Permitting, Environment and Regulatory Affairs; and Miami-Dade Fire Rescue. Additionally, said departments indicate in their memoranda that they do not object to the application.

Staff opines that the approval of requests #1 and #2 would not have negative visual, noise, traffic impacts or unduly burden County services in the surrounding area as evidenced in the memoranda submitted by reviewing departments. Additionally, staff notes that approval of requests #1 and #2 is contingent upon the approval of the non-use variances listed as requests #3 through #11. Approval of requests #1 and #2 will allow the applicant to submit revised plans which depict the Marine Technology and Life Sciences Seawater Complex (MTLSS), a new pump house, new settling tanks, replacement algae tanks, and new electrical plant and generator. Additional site plan revisions include a new parking layout, connectivity between buildings and the waterfront, outdoor plazas, drive isles and landscaping. Staff notes that the applicant will demolish three (3) of the existing buildings in order to accommodate the new buildings. As such, staff opines that the requests would be **compatible** with the area concerned, when considering the necessity and reasonableness of the modifications in relation to the present and future development of the area. **Therefore, staff recommends approval with conditions of requests #1 and #2 under Section 33-311(A)(7) Generalized Modification Standards.**

Staff notes that while the subject property is zoned GU, Interim District; the Code states that if no trend in development has been established the minimum standards of the EU-2, Estates Single-Family Five Acre Estate District shall apply, notwithstanding that there is no EU-2 zoning in the surrounding area; **therefore the non-use variance requests #3 through #5 and #8 through #11 are necessitated based on the EU-2 zoning district standards.**

When requests #3 through #5 are analyzed under the Non-Use Variances From Other Than Airport Regulations, Section 33-311(A)(4)(b), staff is of the opinion that the approval of the requests would be **compatible** with the surrounding area, would not be detrimental to the neighborhood and would not affect the appearance of the community. Staff notes that approval of these requests are contingent upon approval of requests #1 and #2. The surrounding area is characterized by institutional and recreational uses. Staff notes that the property was previously approved pursuant to Resolution No. 4-ZAB-396-83 for a science building to setback 10' (50' required) from the front (northeast) property line, with a maximum of 3 stories (2 stories permitted), and with a maximum height of 44' (35' permitted).

Staff opines that the requests to permit the proposed MTLSS complex to setback 31'3" (75' required) from the interior (north) property line and setback 50'8" (85' required) from the front (east) property line (request #3) with a building height of 65' (35' permitted) (request #2) and a maximum of four (4) stories (2 stories permitted) (request #3) are similar to those previously approved. Staff notes that the design of the building incorporates parking underneath the building with the second and third floors dedicated to research, office and laboratory space and the fourth floor to mechanical components of the building. Additionally, the configuration of the proposed 4-story building limits the impact of the requested non-use variances on the abutting

property to the east. Further, staff notes that the height of the Atlantic Oceanographic & Meteorological Laboratory building is approximately 90'. Said building is located just northwest of the subject property on the opposite side of the Rickenbacker Causeway. Therefore, in staff's opinion, approval of the requests would maintain the basic intent and purpose of the zoning regulations, which is to protect the general welfare of the public, particularly as it affects the appearance of the community and would be **compatible** with same. **As such, staff recommends approval with conditions of requests #3 through #5 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

When requests #6 and #7 are analyzed under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations, staff opines that approval of the requests to permit parking spaces and drives to be within 25' of the official right-of-way line of Rickenbacker Causeway (request #6) and to permit 285 parking spaces (1,396 spaces required; 287 previously approved, where 1,328 previously required) (request #7) is **compatible** with the surrounding area. Staff notes that the total square footage of the campus proposed and existing buildings increased from 266,042 to 279,127 therefore the required number of parking spaces increased by sixty-eight (68). The applicant was previously approved for 287 parking spaces pursuant to Resolution No. 4-ZAB-396-83; however request #7 would reduce the number of approved parking spaces by two (2). Staff opines that the reduction in the number of parking spaces is minimal due to the fact that access to the facility is controlled and limited by the secured entrance. Additionally, as a condition of approval for Resolution No. 4-ZAB-396-83 the applicant was required to increase the parking area adjacent to Crandon Boulevard (outside of the fence) to accommodate a total of 100 vehicles; therefore if needed there is additional parking for visitors to the facility.

The applicant has provided a "Parking Evaluation Report" for this application which indicates that the University of Miami operates a transit shuttle which operates Monday through Friday, connecting the Coral Gables main campus, the Vizcaya Metrorail Station and the RSMAS campus. Additionally, staff notes that the Parking Evaluation Report also details a parking survey conducted on the campus. The results of which found that a minimum of 47 and a maximum of 207 parking spaces were available during the educational day from 8:00 AM to 6:00 PM, indicating that there is adequate parking supply to meet the demands of the campus. Further, staff opines that the location of the driveway and parking spaces within 25' of the official right-of-way line of the Rickenbacker Causeway will have a minimal visual impact on the surrounding uses. The plans submitted in conjunction with this application depict the driveway as interior to the site; therefore it would not impact the flow of traffic along the Rickenbacker Causeway. **As such, staff recommends approval with conditions of requests #6 and #7 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations.**

Staff opines that approval of requests #8 through #11 would be **compatible** with the surrounding area when analyzed under Section 33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations and are germane to requests #1 and #2. In staff's opinion the request to permit a structure to setback 2'7" (7.5' required) from the rear (west) and 8'10" (20' required) from the interior side (north) property lines (request #8) is **compatible** with the area. Based on aerial photographs and the submitted site plan, staff notes that driveways from the abutting properties are located adjacent to the property lines and act as a buffer between the two parcels. Additionally, the request for the electrical generator to be spaced 8'4" (10' required) from the electrical power generator (request #9) is internal to the site and does not have a visual impact on the surrounding uses. In staff's opinion, request #10 to permit the settling tank to setback 8'10" (20' required) from the interior side (south) property line does not impact the surrounding properties, as the south property line abuts Bear Cut (Biscayne Bay). Further, in

staff's opinion the request for a lot coverage of 46% (15% permitted) is based on the previously mentioned EU-2 zoning district standards which would apply to a single-family residence. Staff opines that approval of the requests would maintain the basic intent and purpose of the zoning regulations, which is to protect the general welfare of the public, particularly as it affects the appearance of the community and would be **compatible** with same. **As such, staff recommends approval with conditions of requests #8 through #11 under Section 33-311(A)(4)(b), Non-Use Variances From Other Than Airport Regulations**

ACCESS, CIRCULATION AND PARKING:

The submitted site plan depicts the existing campus with a single ingress/egress point along the Rickenbacker Causeway. There are drives throughout the property that connect the existing and proposed buildings. The site plan depicts 285 parking spaces.

NEIGHBORHOOD SERVICES PROVIDER COMMENTS: See attached.

OTHER: N/A

RECOMMENDATION: Approval with a condition.

CONDITION FOR APPROVAL:

That all the conditions of Resolutions 4-ZAB-396-83 and CZAB16-2-97 remain in full force and effect, except as herein modified.

ES:MW:GR:NN:CH:AN



Eric Silva, AICP Interim Assistant Director
Zoning and Community Design
Miami-Dade County
Sustainability, Planning and Economic Enhancement Department
Permitting, Environment and Regulatory Affairs Department

NDN
6/11/12

ZONING RECOMMENDATION ADDENDUM
HISTORY
MOTION SLIPS*
DEPARTMENT MEMORANDA
DISCLOSURE OF INTEREST*
HEARING PLANS*
MAPS

*If applicable

ZONING RECOMMENDATION ADDENDUM

University of Miami
11-119

NEIGHBORHOOD SERVICES PROVIDER COMMENTS*	
Permitting, Environment and Regulatory Affairs	No objection
Public Works and Waste Management	No objection
Parks, Recreation and Open Spaces	No objection
Fire Rescue	No objection
Police	No objection
Schools	No objection
Shoreline Development Review Committee	No objection
*Subject to conditions in their memorandum.	

COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) OBJECTIVES, POLICIES AND INTERPRETATIVE TEXT

Institutions, Utilities and Communications (Pg. I-52.4)	<p><i>The Adopted 2015 and 2025 Land Use Plan designates the subject property, being within the Urban Development Boundary for Institutions, Utilities and Communications. The Plan map illustrates, for information purposes, only the location of major institutional uses, communication facilities and utilities of metropolitan significance. Depicted are such uses as major hospitals, medical complexes, colleges, universities, regional water-supply, antenna fields, radio and television broadcast towers, wastewater and solid waste utility facilities such as the resources recovery plant, major government office centers and military installations. The full range of institutions, communications and utilities may be allowed under this land use category. Offices are also allowed in this map category. Internally integrated business areas smaller than 5 acres in size or up to 10 percent of the total floor area of an institutional, public facility or office use may also be approved in this map category. If the owner of land designated as Institutions, Utilities and Communications chooses to develop the land for a different use and no public agency intends to use the site for a public facility, the land may be developed for a use or a density comparable to and compatible with surrounding development providing that such development is consistent with the goals, objectives and policies of the CDMP especially Policies LU-4A and LU-4B.</i></p> <p><i>The Homestead Air Reserve Base is also included in this category on the Land Use Plan map. The range of uses that may occur on the Base as it is redeveloped shall emphasize military aviation and related uses, national security, recreation uses, educational and other institutional uses. All future uses on the former Base will be consistent with the Record of Decision issued by the Secretary of the Air Force as it pertains to County use of the Base property.</i></p> <p><i>Neighborhood or community-serving institutional uses, cell towers and utilities including schools, libraries, sanitary sewer pump stations and fire and rescue facilities in particular, and cemeteries may be approved where compatible in all urban land use categories, in keeping with any conditions specified in the applicable category, and where provided in certain Open Land subareas. Compatibility shall be determined in accordance to Policy LU-4A. Co-location of communication and utility facilities are encouraged. Major utility and communication facilities should generally be guided away from residential areas; however, when considering such approvals, the County shall consider such factors as the type of function involved, the public need, existing land use patterns in the area and alternative locations for the facility. All approvals must be consistent with the goals, objectives and policies of the Comprehensive Development Master Plan.</i></p> <p><i>Electric power transmission line corridors are permitted in every land use category when located in established right-of-ways or certified under the Florida Electrical Power Plant Siting Act (Sections 403.501-403.518, F.S.) as an ancillary use to a new power plant, or the Transmission Line Siting Act (Sections 403.52-403.5365 F.S.) for individual electrical</i></p>
---	---

ZONING RECOMMENDATION ADDENDUM

University of Miami

11-119

	<i>transmission lines. If an electric power transmission line corridor does not meet either of the above conditions, it shall be situated in an area designated as Institutions, Utilities and Communications; Industrial and Office; Business and Office; or Parks and Recreation on the adopted Land Use Plan map. When compatible with adjacent uses and permitted by County and State regulations, non-utility ancillary uses that may be located in transmission line corridors include agriculture, parking lots, open space, golf courses, bikeways and paths for walking and exercising.</i>
--	--

PERTINENT ZONING REQUIREMENTS/STANDARDS

33-311(A)(4)(b) Non-Use Variances From Other Than Airport Regulations	<i>Upon appeal or direct application in specific cases, the Board shall hear and grant applications for non-use variances from the terms of the zoning and subdivision regulations and may grant a non-use variance upon a showing by the applicant that the non-use variance maintains the basic intent and purpose of the zoning, subdivision and other land use regulations, which is to protect the general welfare of the public, particularly as it affects the stability and appearance of the community and provided that the non-use variance will be otherwise compatible with the surrounding land uses and would not be detrimental to the community. No showing of unnecessary hardship to the land is required.</i>
--	---